

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ZHONGTIE DACHENG (ZHUHAI)
INVESTMENT MANAGEMENT CO LTD,

Petitioner,

v.

JINGGANG YAN and LIANG XIUHONG,

Respondents.

Misc. Case No.: _____

Underlying Action: *Zhongtie Dacheng (Zhuhai) Investment Management Co Ltd v. Jinggang Yan and Liang Xiuhong, No. 8:22-cv-461 (KK) (ADS) (C.D. Cal.)*

**DECLARATION OF GEORGE T. PHILLIPS IN SUPPORT OF
RESPONDENTS' MOTION TO QUASH**

I, George T. Phillips, declare as follows under 28 U.S.C. § 1746:

1. I am an associate at Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Respondents Jinggang Yan and Liang Xiuhong in this case. I am a member in good standing of the Bar of this Court. I submit this declaration in support of Respondents' motion to quash or modify subpoenas.

2. On March 22 and 28, 2024, my co-counsel William R. Sears conferred by phone with Petitioner's counsel regarding the relief sought by Respondents' motion to quash or modify subpoenas, but the parties could not reach an agreement and are thus at an impasse.

3. Attached as **Exhibit A** is a true and correct redacted copy of Petitioner's subpoena to Bank of America N.A. in the underlying action. An unredacted version has been provided to the Court as Exhibit A to the Declaration of George T. Phillips in Support of Respondents' Letter Motion to Seal.

4. Attached as **Exhibit B** is a true and correct copy of Petitioner's subpoena to Cathay Bank in the underlying action.

5. Attached as **Exhibit C** is a true and correct redacted copy of Petitioner's subpoena to JP Morgan Chase Bank N.A. in the underlying action. An unredacted version has been provided to the Court as Exhibit C to the Declaration of George T. Phillips in Support of Respondents' Letter Motion to Seal.

6. Attached as **Exhibit D** is a true and correct redacted copy of Petitioner's subpoena to The Clearing House Payments Company LLC in the underlying action. An unredacted version has been provided to the Court as Exhibit D to the Declaration of George T. Phillips in Support of Respondents' Letter Motion to Seal.

7. Attached as **Exhibit E** is a true and correct copy of Petitioner's subpoena to Citibank N.A. in the underlying action.

8. Attached as **Exhibit F** is a true and correct copy of Petitioner's subpoena to Citizens Business Bank in the underlying action.

9. Attached as **Exhibit G** is a true and correct copy of Petitioner's subpoena to Coinbase, Inc. in the underlying action.

10. Attached as **Exhibit H** is a true and correct copy of Petitioner's subpoena to East West Bank in the underlying action.

11. Attached as **Exhibit I** is a true and correct redacted copy of Petitioner's subpoena to First General Bank in the underlying action. An unredacted version has been provided to the Court as Exhibit I to the Declaration of George T. Phillips in Support of Respondents' Letter Motion to Seal.

12. Attached as **Exhibit J** is a true and correct copy of Petitioner's subpoena to First Republic Bank in the underlying action.

13. Attached as **Exhibit K** is a true and correct copy of Petitioner's subpoena to Metropolitan Bank in the underlying action.

14. Attached as **Exhibit L** is a true and correct redacted copy of Petitioner's subpoena to Morgan Stanley Smith Barney LLC in the underlying action. An unredacted version has been provided to the Court as Exhibit L to the Declaration of George T. Phillips in Support of Respondents' Letter Motion to Seal.

15. Attached as **Exhibit M** is a true and correct copy of Petitioner's subpoena to OKCoin USA, Inc. in the underlying action.

16. Attached as **Exhibit N** is a true and correct copy of Petitioner's subpoena in the underlying action to Flagstar Private Bank as Successor in Interest to Signature Bank.

17. Attached as **Exhibit O** is a true and correct copy of Petitioner's subpoena to Silicon Valley Bank in the underlying action.

18. Attached as **Exhibit P** is a true and correct copy of Petitioner's subpoena to TD Bank in the underlying action.

19. Attached as **Exhibit Q** is a true and correct copy of Petitioner's subpoena to UBS AG in the underlying action.

20. Attached as **Exhibit R** is a true and correct copy of Petitioner's subpoena to Wells Fargo Bank N.A. in the underlying action.

21. Attached as **Exhibit S** is a true and correct copy of Petitioner's subpoena to Blue Water Escrow, Inc. in the underlying action.

22. Attached as **Exhibit T** is a true and correct copy of a Chinese Criminal Judgment dated November 30, 2022, which implicates Petitioner and its controllers in criminal activity.

This document identifies Chen Meng as the “legal representative person” and “chairman” of Petitioner who was sentenced to prison along with other officers in the company.

23. Attached as **Exhibit U** is a true and correct copy of a certified English translation of the Chinese Criminal Judgment discussed above.

24. Attached as **Exhibit V** is a true and correct copy of Petitioner’s Amended Petition to Confirm Arbitration Award and for Entry of Judgment, filed at ECF No. 28 in the underlying action.

25. Attached as **Exhibit W** is a true and correct copy of the Declaration of Jinggang Yan, filed at ECF No. 94-1 in the underlying action.

26. Attached as **Exhibit X** is a true and correct copy of Respondents’ Proposed Sur-Reply, filed at ECF No. 103-1 in the underlying action.

27. Attached as **Exhibit Y** is a true and correct copy of Respondents’ Notice of Appeal, filed at ECF No. 110 in the underlying action.

28. Attached as **Exhibit Z** is a true and correct copy of Respondents’ Opposition to Petition to Confirm a Chinese Arbitral Award, filed at ECF No. 94 in the underlying action.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 1, 2024

/s/ George T. Phillips
George T. Phillips